

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
CASE NO. 4:09-CV-126-FL**

**DR. ELIZABETH GAIL MARSAL,**

**Plaintiff,**

**v.**

**EAST CAROLINA UNIVERSITY, a  
constituent of the University of North  
Carolina, and Dr. James Anderson, in  
his individual capacity and official  
capacity,**

**Defendants.**

**DECLARATION OF ANNE W. JENKINS**

I, Anne W. Jenkins, being first duly sworn depose and say:

1. I am an adult over age 18, have never been adjudged incompetent, suffer from no mental or emotional illness, and make this declaration of my own free will, stating facts of which I have personal knowledge.

2. I am employed at East Carolina University (ECU) as Associate Vice Chancellor for Financial Services. I have held this position since May 2006.

3. As Associate Vice Chancellor for Financial Services, I have oversight over the financial records of the university. In my position, I have reviewed the university's financial records and have attached to the present declaration a chart (Exhibit A) detailing all of the expenses paid for the defense of the above captioned lawsuit. These costs detailed in Exhibit A are correct and necessary to the defense of the Plaintiff's lawsuit and were actually incurred or performed. I have also included expenses which have been invoiced for the defense of the present lawsuit and which payment is pending and

forthcoming. The total expenses incurred for the defense against Plaintiff's lawsuit total \$15,008.95.

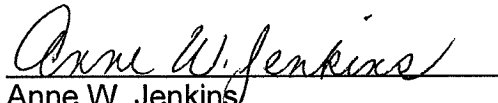
4. The costs incurred after August 11, 2010, for defense against Plaintiff's lawsuit total \$11,908.94.

5. I state facts herein within my personal knowledge and/or based on a review of university records.

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Affiant further sayeth not.

Executed this the 29<sup>th</sup> day of February 2012.

A handwritten signature in cursive script, reading "Anne W. Jenkins", is written over a horizontal line.

Anne W. Jenkins  
Associate Vice Chancellor for Financial Services  
East Carolina University

## EXHIBIT A

### Paid Expenses in Marsal v. ECU

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- 1) April 4, 2008  
Carolina Court Reporters, Inc.  
Invoice Number: 16627.BGN  
Case: ECU Faculty Senate Hearing \$2,030.00
- 2) June 8-9, 2010  
John P. Scherer, II  
Invoice Number: 1009574  
Transportation: \$152.74  
Gas: \$41.62 \$194.36
- 3) June 9, 2010  
Carolina Court Reporters, Inc.  
Invoice Number: 19946.PBK  
Deponent: Madhava Bodapati \$875.65
- August 24, 2010 and August 26, 2010  
Carolina Court Reporters, Inc.  
Invoice Number: 20192.ABM  
Deponent: Dr. James F. Anderson \$753.15
- August 25, 2010  
Carolina Court Reporters, Inc.  
Invoice Number: 20196.PBK  
Deponent: Dr. Margie Gallagher \$282.00
- August 26, 2010  
Carolina Court Reporters, Inc.  
Invoice Number: 20230.PBK  
Deponent(s): Dr. Marilyn Sheerer; Dr. Gerald Mark Jones \$327.00
- September 3, 2010  
Carolina Court Reporters, Inc.  
Invoice Number: 20247.ABM  
Deponent: Dr. Steve Ballard \$77.25

4) Requisition Summary – 21677218

August 17-September 1, 2010

John P. Scherer, II

Invoice Number(s): 1009680 and 1009810

Rental Car: \$274.15

Personal Car: \$51.00

Gas: \$106.61

Meals: \$16.75 \$448.51

September 1, 2010

Carolina Court Reporters, Inc.

Invoice Number: 20273.PBK

Deponent: Dr. Elizabeth Gail Marsal \$804.90

September 3-9, 2010

John P. Scherer, II

Invoice Number: 1009680

Personal Car: \$51.00

Rental Car: \$133.15

Airplane: \$831.40

Meals: \$65.00

Hotel: \$132.25

Baggage: \$50.00

Toll Fee: \$1.60

Parking Fee: \$20.00 \$1,284.40

October 13, 2010

John P. Scherer, II

Invoice Number: 1009680

Rental Car: \$91.13

Gas: \$25.09

Meal: \$16.75 \$132.97

October 13, 2010

Patterson Harkavy, LLP

Invoice Date: November 3, 2010

Mediation: \$2,250.00 50% \$1,125.00

Travel: \$500.00 50% \$250.00

Mileage: \$85.00 50% \$42.50 \$1,417.50

5) Requisition Summary – 21676637

September 7, 2010 and September 9, 2010

Kathryn Greene, PhD

Preparation for Deposition: \$525.00

Deposition: \$1,425.00 \$1,950.00

6) Summary Requisition – 18279211

September 9, 2010

Stotz Court Reporting

Invoice Number: 100034

Re: Kathryn Greene

\$1,213.85

7) January 17, 2012

Kathryn Hart Wetherington

Travel Request #2930

Mileage

\$33.00

January 25-27, 2012

Kathryn Hart Wetherington

Travel Request #2860

Mileage

\$99.00

January 30-February 1, 2012

Kathryn Hart Wetherington

Travel Request #3115

Mileage

\$99.00

**Expenses Pending Payment in Marsal v. ECU**

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- |     |  |          |
|-----|--|----------|
| 8)  | January 17, 2012<br>North Carolina Department of Justice<br>Reimbursement of Travel and Other Expenses Incurred<br>Kimberly D. Potter<br>Rental Car: \$91.25<br>Gas: \$35.43   | \$126.68 |
|     |  |          |
| 9)  | January 20-February 2, 2012<br>NC Department of Administration<br>Motor Fleet Management Division<br>Tom Ziko<br>Vehicle   | \$264.00 |
|     |  |          |
| 10) | January 23-27, 2012<br>Holiday Inn Express<br>James Anderson   | \$417.18 |
|     |  |          |
|     | January 29-30, 2012<br>Holiday Inn Express<br>James Anderson   | \$103.73 |
|     |  |          |
|     | January 30-31, 2012<br>Holiday Inn Express<br>James Anderson   | \$103.73 |
|     |  |          |
|     | January 23-31, 2012<br>Meals: \$197.75<br>Mileage: \$66.00   | \$263.75 |
|     |  |          |
| 11) | February 1, 2012<br>North Carolina Department of Administration<br>Motor Fleet Management<br>Reimbursement Request<br>Kimberly D. Potter<br>Gas                                | \$25.00  |
|     |  |          |
| 12) | February 2, 2012<br>Carolina Court Reporters, Inc.<br>Invoice Number: 22425.MB<br>Video Deposition Editing: \$240.00<br>Previously Mailed-Overnight Saturday Shipping: \$45.00 | \$285.00 |

- 13) January 23-27, 2012  
January 29-February 2, 2012  
Reimbursement Request for Kimberly Potter  
Hotel and per diem \$666.92
- 14) January 23-27, 2012  
January 29-February 1, 2012  
Reimbursement Request for Tom Ziko  
Hotel and per diem \$598.42
- 15) January 24-January 30, 2012  
Margie Gallagher  
Mileage \$132.00

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**Total Paid Expenses: \$12,022.54**

**Total Outstanding Expenses: \$2,986.41**

**Total: \$15,008.95**

**Costs Incurred after August 11, 2010: \$11,908.94**